IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 8195 of 2004

Between:
S.Bala Gangi Reddy, S/o.S.Gangi Reddy,
R/o.H.No.1/67, Near Sri Rama Talkies, Pulivendula, Cuddapah Dist.

.....
PETITIONER

AND

1 The Secretary, Regional Transport Authority (Regional Transport officer), Cuddapah.
2 The Regional Transport Authority, Cuddapah, rep.by its Secretary.
3 The Regional Manager,APSRTC., Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction, more particularly a writ of mandamus declaring the impugned proceedings of the Regional Transport officer, Cuddapah the 1st Respondent herein in Lr.R.No.13718/A2/2001 dated 9-2-2004 addressed to the sub Divisional police officer, pulivendula, Cuddapah District to instruct the police officers to keep a watch and book cases against in so far as the petitioner's stage carriage vehicle bearing R.No.ADA.6565 plying on the town service Route Pulivendula old Bus stand to Nallapureddypalli purporting to be plying unauthorisedly beyond Rachabandas of Nallapureddypalli as arbitrary, illegal, malafide, improper and without jurisdiction and contrary to the judgement dated 6-2-2002 in W.P.No.26364/2001 of the Hon'ble court and issue any other appropriate writ order or direction and grant such other necessary relief as the Hon'ble court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.R.K JWALA (Not present)

Counsel for the Respondents Nos 1 and 2: GP FOR TRANSPORT

Counsel for the Respondent No.3: Sri K.Srinivasa Rao

The Court Made the Following :

ORDER:

None appeared for the petitioner.

The impugned proceedings of the first respondent-Regional Transport Officer, Cuddapah in Lr.R.No.13718/A2/2001 dated 09.02.2004 is challenged in this writ petition.

The grievance of the writ petitioner is that he was plying vehicle strictly on the authorized route without violating the conditions of the permit and adhering to the schedule of timings. The permit of the petitioner's vehicle was given by the Regional Transport Authority on 11.02.2002 to ply the vehicle bearing No. ADA 6565 as Town Service on the route Pulivendula Old Bus Stand to Nallapureddipalli via Navath Lodge, RTC Bus Stand, Electrical Sub-Station, Mothunuthalapalli Cross Road.

The learned counsel appearing for the respondents contended that the impugned proceedings are not issued contrary to the permits.

As per the proceedings dated 11.02.2002, the Regional Transport Authority also fixed schedule of timings tentatively from Nallapureddypalli and back. The impugned proceedings shows that the Regional Transport Authority requested the police officers to keep a watch and book cases

against stage carriage vehicles bearing No. AP04/U 4374 and ADA 6565 if they ply on unauthorized route i.e., beyond the entrance of Nallapureddipalli in respect of stage carriage vehicle No.AP04/U 4374 and beyond Rachababda of Nallapureddypalli in respect of stage carriage vehicle No.ADA 6565.

This impugned order is not in any way contrary to the permit issued by the concerned authority. If the petitioner plies the vehicles beyond the particular point as per the stage carriage permit, then only the cases will be registered against the petitioner. The impugned order does not form any legal infirmities.

Therefore, the writ petition is totally devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed at the stage of admission.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

Copy to:

1 The Secretary, Regional Transport Authority (Regional Transport officer), Cuddapah.

2 The Regional Transport Authority, Cuddapah, rep.by its Secretary.

3 The Regional Manager,APSRTC., Cuddapah.

4. 2 C.Cs to G.P. FOR TRANSPORT.

5. 2 C.D copies.